

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

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IN THE MATTER OF THE WARWICK LANDFILL :
SUPERFUND SITE :

Ford Motor Company, :
Georgia-Pacific Corporation, :
Reichhold Chemicals, Inc., and :
Union Carbide Corporation, :

Respondents :

AMENDMENT TO
ADMINISTRATIVE ORDER
ON CONSENT

Index No. II-
CERCLA-20214

Proceeding under Sections 104 and :
122 of the Comprehensive Environmental :
Response, Compensation, and Liability :
Act, as amended, 42 U.S.C. §§ 9604, 9622: :
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I. JURISDICTION

1. Administrative Order on Consent Index Number II-CERCLA-20214 ("Order") was issued by the United States Environmental Protection Agency ("EPA") to Ford Motor Company, Georgia-Pacific Corporation, Reichhold Chemicals, Inc. and Union Carbide Corporation (hereinafter collectively referred to as the "Respondents") on September 28, 1992. The Order was issued pursuant to the authority vested in the President of the United States by Sections 104(a) and (b), 122(a) and (d)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. §§ 9604(a) and (b), 9622(a) and (d)(3), which authority was delegated to the Administrator of the EPA on January 23, 1987 by Executive Order 12580, 52 Fed. Reg. 2926 (1987), and further delegated to the Regional Administrators of EPA on September 13, 1987, by EPA Delegation 14-14-C. The New York State Department of Environmental Conservation ("NYSDEC") has been notified of the Order and this Amendment to the Order.

II. AMENDMENT

2. The Order is hereby amended as follows:

a. Subparagraph 34.f. of the Order ("Task VI: EPA's Baseline Risk Assessment") is hereby deleted. The following is hereby inserted in its place:

700257

f. Task VI: Baseline Risk Assessment Report

Respondents shall conduct a baseline risk assessment for the Second Operable Unit at the Site. Respondents shall conduct this risk assessment in accordance with EPA guidance set forth in the documents entitled: The Risk Assessment Guidance for Superfund, Volume 1, Health Evaluation Manual (EPA/540/1-89/002, December 1989) and Volume 2, Environmental Evaluation Manual (EPA/540/1-89/001, April 1988); The Superfund Exposure Assessment Manual (EPA/540/1-88/001, April 1988); the Exposure Factors Handbook (EPA/600/8-89/043, March 1989); Guidance for Data Useability in Risk Assessment (EPA/540/G-90/008, October 1990) and Risk Assessment Guidance for Superfund, Volume I, Supplemental Guidance; Standard Default Exposure Factors, Interim Final (Office of Emergency and Remedial Response, U.S. EPA, 1991). The major components of the baseline risk assessment conducted by Respondents shall include hazard identification, exposure assessment, toxicity assessment, and risk characterization. On or before May 8, 1995, Respondents shall submit to EPA a baseline risk assessment report. If EPA disapproves of or requires revisions to the baseline risk assessment report, in whole or in part, Respondents shall amend and submit to EPA a revised baseline risk assessment report which is responsive to the directions in all EPA comments, within twenty-one (21) days of receiving EPA's comments. The approved baseline risk assessment report shall be issued as a separate report and shall be included as an appendix to the OU 2 RI report.

b. Subparagraphs 34 g., h. and i. of the Order are hereby deleted and the following is hereby inserted in their place:

g. Task VII: Remedial Investigation Report. On or before May 1, 1995, Respondents shall submit to EPA a draft OU 2 RI report consistent with the OU 2 RI/FS Work Plan, FOP and RI/FS Guidance. If EPA disapproves of or requires revisions to the OU 2 RI report, in whole or in part, Respondents shall amend and submit to EPA, within twenty-one days (21) days of receiving EPA's comments, a revised OU 2 RI report which is responsive to the directions in all EPA's written comments.

Respondents may invoke the dispute resolution procedures set forth in Section XVII of the Consent Order in the event of a dispute between Respondents and EPA regarding EPA's disapproval or modifications of, or required revisions to, the OU 2 RI report.

h. Task VIII: Development of Remedial Action Objectives, and Development and Screening of Alternatives. Respondents shall develop remedial action objectives and develop and screen remedial alternatives, unless EPA notifies Respondents in writing that that activity need not be performed under the Order. On or before June 1, 1995 (subject to the proviso set forth in the preceding sentence), Respondents shall submit to EPA and the State a report identifying the remedial action objectives and summarizing the development and preliminary screening of remedial alternatives. Respondents shall address any comments made by EPA concerning this report in the OU 2 FS report, unless otherwise directed by EPA.

i. Task IX: Draft Feasibility Study Report. Within twenty-one (21) days of EPA's submission of comments on the draft OU 2 RI Report, Respondents shall submit to EPA a draft OU 2 FS report, unless EPA notifies Respondents in writing that it is unnecessary for them to submit a draft OU 2 FS report. Respondents shall refer to the OU 2 RI/FS Work Plan and the RI/FS Guidance for FS report content and format. If EPA disapproves of or requires revisions to the draft OU 2 FS report, in whole or in part, Respondents shall amend and submit to EPA a revised draft OU 2 FS report which is responsive to the directions in all EPA comments, within twenty-one (21) days of receiving EPA's written comments. Respondents may invoke the dispute resolution procedures set forth in Section XVII below in the event of a dispute between Respondents and EPA regarding EPA's disapproval or modifications of, or required revisions to, the OU 2 FS report.

III. EFFECTIVE DATE

3. After signature by Respondents, this Amendment to Administrative Order on Consent Index No. II-CERCLA-20214 shall be effective on the date that it is signed by or on behalf of the Regional Administrator of EPA Region II.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Will Mays
Jeanne M. Fox
Regional Administrator
U.S. Environmental Protection Agency
Region II

5/19/55
Date

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CONSENT

The Respondent identified below has had the opportunity to confer with EPA regarding the Amendment. Respondent hereby consents to the issuance of this Amendment and to its terms. The individual executing this Amendment on behalf of Respondent certifies under penalty of perjury under the laws of the United States and of the State of Respondents' incorporation that he or she is duly and legally authorized to agree to the terms and conditions of this Amendment and to bind the respondent thereto.

Georgia-Pacific CorporationNAME OF RESPONDENT5/9/65
DateAndrew F. Hodges
(signature)Andrew F. Hodges(typed name of signatory)Chief Counsel, Air(title of signatory)

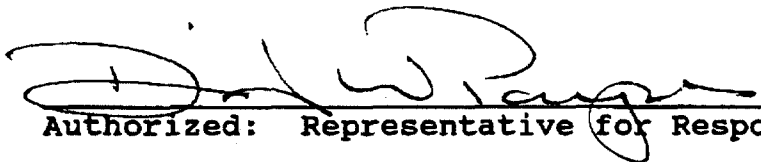
700261

CONSENT

The Respondent identified below has had the opportunity to confer with EPA regarding the Amendment. Respondent hereby consents to the issuance of this Amendment and to its terms. The individual executing this Amendment on behalf of Respondent certifies under penalty of perjury under the laws of the United States and of the State of Respondents' incorporation that he or she is duly and legally authorized to agree to the terms and conditions of this Amendment and to bind the respondent thereto.

THE FORD MOTOR COMPANY
Name of Respondent

16 May 1995
Date


Authorized: Representative for Respondent

Title: PITNEY, HARDIN, KIPP & SZUCH
Attorneys for: THE FORD MOTOR COMPANY
by: DAVID W. PAYNE, ESQ.
A Member of the Firm

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THE REICHHOLD CHEMICALS, INC.

Name of Respondent

16 May 1985
Date


Authorized: Representative for Respondent

Title: PITNEY, HARDIN, KIPP & SZUCH
Attorneys for: THE REICHHOLD CHEMICALS, INC.
by: DAVID W. PAYNE, ESQ.
A Member of the Firm


700263

CONSENT

The Respondent identified below has had the opportunity to confer with EPA regarding the Amendment. Respondent hereby consents to the issuance of this Amendment and to its terms. The individual executing this Amendment on behalf of Respondent certifies under penalty of perjury under the laws of the United States and of the State of Respondents' incorporation that he or she is duly and legally authorized to agree to the terms and conditions of this Amendment and to bind the respondent thereto.

THE UNION CARBIDE CORPORATION
Name of Respondent

16 May 1995
Date


Authorized: Representative for Respondent

Title: PITNEY, HARDIN, KIPP & SZUCH
Attorneys for: THE UNION CARBIDE CORPORATION
by: DAVID W. PAYNE, ESQ.
A Member of the Firm